

the international meeting in Germany in July, which is the next step in the Kyoto process, will consult with our allies and others in the world, and will find a way, together with us—both parties in Congress—to move forward to deal with this problem.

We deal with serious problems every day in the Senate. It is part of the challenge and, indeed, the excitement of the privilege we have to serve our Nation. It is when we deal with those problems effectively that we have together—all of us—the moments of greatest satisfaction.

This, in the long run, is one of the largest problems which any of us in this Chamber will ever confront. The sooner we get together and make some progress to deal with it, the better will be the world's future.

Mr. President, I yield the floor and suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will please call the roll.

The bill clerk proceeded to call the roll.

Mr. LOTT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

UNANIMOUS-CONSENT REQUEST— S. 149

Mr. LOTT. Mr. President, there has been a lot of discussion and effort over the past couple of years put into trying to address the export administration issue. I know that Senator GRAMM and the ranking Democrats and Senator SARBANES have worked on this issue. I know there are a number of Senators who have reservations about this whole area and this particular piece of legislation.

It is my understanding that the new administration has had input and a number of previous concerns have been addressed. I understand this is an area where we need to be careful to make sure we do it in the right way and that we pay attention to very important security concerns.

I think one of the only ways, though, to have those issues properly aired and addressed, and hopefully resolved, is to begin the discussion and see if we can get a final agreement and move on this legislation.

I ask unanimous consent that the Senate turn to the consideration of calendar No. 26, S. 149, the export administration bill.

The PRESIDING OFFICER. Is there objection?

Mr. SHELBY. Mr. President, I object.

The PRESIDING OFFICER. Objection is heard.

EXPORT ADMINISTRATION ACT OF 2001—MOTION TO PROCEED

Mr. LOTT. Mr. President, I now move to proceed to S. 149, and I understand that there are some opening statements that can be made. I hope that we

can work through the objections so that we can actually move to the legislation. I move to proceed to the bill at this time.

The PRESIDING OFFICER. The question is on agreeing to the motion, and it is debatable.

The Senator from Texas is recognized.

Mr. GRAMM. Mr. President, I thank the majority leader for moving to bring this bill to the floor of the Senate. As many of my colleagues know, the Congress has not reauthorized the Export Administration Act on a permanent basis since the early 1990s. As a result, we have been in a period where we have sought to get multilateral action on export controls to protect critical national security secrets, but we have had a very difficult time having standing on those issues among our allies when we do not even have a regime in place to monitor exports coming out of the United States of America.

I think it is a terrible indictment of the Congress that for so many years we were unable to enact a bill to restore our export control authorities. I understand that these are very difficult issues, and they are difficult for a very simple reason: the Nation has apparently conflicting goals. We want to export high-tech items, we want to dominate the world in new technology, we want new innovations to occur in America, and we want to be the principal beneficiary of the technological revolution that is changing our lives and the life of every person who lives on the planet. And to do these things, we want Americans to be able to sell high-tech products on the world market.

Wages in these industries are among the highest wages in the world. They really will determine the future of economic development on the planet, and it is a very high American priority to see that we generate these new technologies, that we generate these new jobs, and that Americans be the highest paid workers on the planet.

Our problem comes in that we also have an objective of trying to prevent sensitive technologies that have defense applications from getting into the hands of people who might, at the current time or in the future, become adversaries of the United States of America. First of all, I think we have to admit to ourselves that there is an apparent conflict in these two goals and, hence, you have the difficulty in dealing with this problem.

Now, I want our colleagues to understand that, first, the Banking Committee has very large jurisdiction as it relates to national security. In fact, other than the Armed Services Committee, no committee in Congress has authorizing jurisdiction in defense that rivals the Banking Committee.

Let me give some examples. The Defense Production Act is under the exclusive jurisdiction of the Banking Committee.

The Trading with the Enemy Act is under the exclusive jurisdiction of the Banking Committee.

The International Emergency Economic Powers Act, which has frequently been used for export control purposes, is under the exclusive jurisdiction of the Banking Committee.

The Export Administration Act, which is before us today, is under the exclusive jurisdiction of the Banking Committee.

The Exon-Florio amendment, which set up the process whereby we look at foreign ownership of defense industries, to look at the national security implications of foreign investments and mergers, is under the exclusive jurisdiction of the Banking Committee.

Sanctions bills that imposes economic sanctions against any country, whether it be the Iran-Libyan Sanctions Act, or whether it be any sanction imposed in the future, would be imposed in legislation that falls under the jurisdiction of the Banking Committee.

Quite frankly, I believe some of this dispute is about jurisdiction. I did not write the rules of the Senate, but I believe that when this jurisdiction was put under the Banking Committee, it was the right decision because the Banking Committee is basically the Banking and Economic Committee. These issues have to do with economic matters that have defense implications. I think the correct decision was made in placing these items within the jurisdiction of the Banking Committee.

We have spent 2 years exercising our responsibility in trying to come up with a workable and, I believe, if I may say so immodestly, a superior Export Administration Act. We have held extensive hearings on the Export Administration Act.

I want to show my colleagues some of the studies that have been done that we have looked at. We have had the authors of these studies appear before our committee.

The first, of course, is the now famous Cox Commission report. This was focused on China, and it was focused on the loss of American defense secrets. The Cox Commission report made a series of recommendations. Those recommendations are now embodied in the bill that is before the Senate.

Rather than trying to go through all of the elements of this lengthy report at this time, which obviously would empty the Chamber for several days as I would be standing alone talking about them, given how voluminous they are, I will share with the Senate one point that CHRIS COX made in presenting these reports to us and giving us the recommendations which we have incorporated in this bill.

And this is critically important because I have colleagues who say that now is not the time to do this bill because of our recent problem with China. I say to my colleagues, we should have done this in 1995, but given the problems we have had with China,